

I. DEFINITIONS

- A. “Excavation Activity” shall mean digging, deep plowing, blasting, boring, directional drilling, other trench-less excavation methods, clearing, grading, ditching, tunneling, dredging, back-filling, the removal of above-ground structures by either explosive or mechanical means, and other earth moving operations.
- B. “Excavator” shall mean any person or entity engaging in Excavation Activity.
- C. “Field Representative” shall mean an Olympic employee or contractor responsible for complying with specified requirements of this Program.
- D. “Paragraph” shall mean a portion of this Program identified by a capitalized letter.
- E. “Program” shall mean this Third Party Damage Prevention Program.
- F. “Reach” shall mean the maximum known limit of control, or point to which the cutting edge of mechanized equipment, including attachments, is capable of extending.
- G. “Section” shall mean a portion of this Program identified by a capitalized Roman numeral.
- H. “Subparagraph” shall mean a portion of this Program identified by an Arabic numeral.

II. ONE-CALL SYSTEMS

A. Purpose

The purpose of the One-Call System is to prevent damage to the Pipeline from Excavation Activity by:

1. receiving, recording, and responding to notification of excavation;
2. marking the location of the Pipeline;
3. educating excavators and the public about how to locate, and avoid damaging the Pipeline; and
4. maintaining a database of excavators.

B. Participation in One-Call Systems

Olympic shall maintain memberships in qualified One-Call Systems in the states of Washington and Oregon. The activities described below shall be performed either through the One-Call System or by Olympic to minimize the likelihood of damage due to excavation activities.

1. Receive and record notifications of pending excavations.
2. Communicate marking information and method of marking to the excavator who gave notice to dig. Flagging shall be yellow in color per the uniform color code for oil and gas facilities.
3. Temporary marking of the Pipeline:
 - a. When a notification from a One-Call System is received, it is the responsibility of the Field Representative to have the pipeline location identified and marked in the field if required by this Program.
 - b. Marking shall be in accordance with the guidelines established by the One-Call System or state law. For example, petroleum pipelines should be marked in yellow, whereas water pipelines should be marked in blue.
 - c. The pipeline shall be field located within the time requested or the time specified by the One-Call System or state law for Washington and Oregon. Also, within the limitations of equipment reasonably available, Olympic shall determine the depth of the Pipeline and, once on site to observe the excavation, shall communicate that information to the Excavator before any Excavation Activity.

C. Receiving Notification of Planned Excavations

1. After receiving notification from a One-Call System, Olympic shall review the information to determine the proximity of the Excavation Activity to the Pipeline. Excavation Activity taking place within 100 feet of any portion of the Pipeline shall be communicated to the appropriate Olympic personnel and contract damage prevention representatives. The Field Representative shall ensure that the Pipeline is marked to comply with the applicable requirements of the applicable One-Call System, state law, and this Program.

2. Direct notification of Excavation Activity should be discouraged. That is, all Excavators should be directed to call the One-Call System whenever they need the Pipeline marked. Excavators who call Olympic directly should be advised to call the appropriate State One-Call System. Olympic shall document Excavators refusing to use the One-Call Systems or excavators identified working without having called the One-Call System. Olympic shall send follow-up letters to those excavators explaining the state laws requiring usage of the One-Call Systems.

D. Recording of Notifications

1. Olympic shall ensure that all notifications of Excavation Activity within 100 feet of any portion of the Pipeline are recorded and provided to EPA or the Independent Monitoring Contractor on request.
2. The recording system shall have the capability of retrieving a notification by date, time, and place.
3. The requirements in Subparagraphs 1 and 2 of this Paragraph may be considered fulfilled if the One-Call System provides this service, provided that Olympic has access to the service and that EPA and the Independent Monitoring Contractor can obtain the information from Olympic.
4. If the One-Call System does not provide this service, Olympic shall maintain records of all notifications received. Records of notifications shall be retained from the effective date of the Consent Decree until 6 years after termination of the Consent Decree.

E. Notification to the Excavator

1. If, by any means, Olympic becomes aware of Excavation Activity within 100 feet of any portion of the Pipeline, Olympic shall immediately notify the Excavator that the Excavation Activity is near the Pipeline and that the Pipeline has been, or will be, field located. If Olympic has not field located the Pipeline at the time of the notification, Olympic shall inform the Excavator of the date by which the Pipeline will be field located, and then provide the Excavator with information about the location of the Pipeline by the date promised. Within 7 days after completing each task, Olympic shall document all notifications to Excavators and temporary marking of the Pipeline.

2. If Olympic receives a request to field locate the Pipeline for Excavation Activity over 100 feet from the Pipeline, Olympic is not required to contact the Excavator unless state laws requires a response to the request.

III. PHYSICAL, ON-SITE INSPECTION AND MONITORING

- A. For all Excavation Activity within 100 feet of any portion of the Pipeline of which Olympic or its contractors either knows or should know through a One-Call System, patrolling, observation, or any other means, Olympic shall dispatch a Field Representative to conduct a field inspection at the location of the Excavation Activity. During the field inspection, the Field Representative shall (1) obtain, if possible, a schedule, preferably written, of all Excavation Activity planned by the Excavator; (2) assist in identifying the location of the pipeline during excavation; (3) inspect the Pipeline when it is exposed, to determine what measures may be needed to protect and support the Pipeline during construction; and (4) promptly begin emergency response actions if the Pipeline is damaged.
- B. Except where the Pipeline can be effectively isolated from Excavation Activity, the Field Representative shall be physically present at, and continuously monitor the excavation site while Excavation Activity is occurring whenever:
 1. Excavation Activity occurs within 10 feet of any portion of the Pipeline.
 2. The Reach of mechanized equipment from its planned location, or other actual location known to Olympic, is capable of extending to a point less than or equal to 10 feet from any portion of the Pipeline. This requires the Field Representative to evaluate both the type and Reach of equipment being used and the specific location of the planned excavation.
 3. For all Excavation Activity for which continuous physical monitoring is not required pursuant to this Paragraph, the Field Representative shall conduct an on-site inspection and evaluation of the Excavation Activity at least once every 7 days to determine whether continuous physical monitoring has become necessary.
 4. The Field Representative shall prepare a written report of each field inspection and each day of continuous physical monitoring required by this Paragraph within 7 days of each field inspection or each day of continuous physical monitoring on the Excavator/Locator Orientation Form attached to this Program as Attachment A.

IV. VISUAL INSPECTION

A. Purpose

The purpose of visual inspections is to inspect the Pipeline for encroachments, leaks, exposed pipe, pipe damage, and nearby Excavation Activity, and to identify what corrective action may be necessary.

B. Aerial Pipeline Patrol

1. Attachment B is the Aerial/Ground Patrol Report that shall be used to record each aerial pipeline patrol flight over the Pipeline system. On the Report, each line segment and the day it was inspected shall be recorded along with any information related to observations needing attention as defined in Paragraph D of this Section. Comments on lines missed and any other problems preventing visual inspection of portions of the Pipeline shall be documented on the Report.
2. Olympic shall schedule and conduct all aerial patrol flights so that all portions of the Pipeline will be visually inspected at intervals not exceeding 3 weeks but at least 26 times each calendar year. Applicable governmental regulations relative to air traffic shall be strictly followed on all flights. Safety shall be the first and most important consideration in planning and conducting flights.
3. The patrol pilot shall notify area personnel when the aircraft is entering or leaving the area, when possible, and shall report his location at the end of each flight to a predetermined headquarters or control center.
4. At the end of each week, the patrol pilot shall mail a copy or electronically submit the Report to the appropriate office to maintain an "Office of Record" file for possible review by EPA and the Independent Monitoring Contractor, or other authorized state or federal government agencies.

C. Ground Patrol

1. Ground Patrol is required to inspect the right of way in areas that cannot be covered by aerial patrol due to federal regulations concerning flight paths, flying heights, etc., or in densely populated or highly industrialized areas where adequate aerial inspection cannot be performed.
2. Olympic shall conduct ground patrol, where required, at intervals not exceeding 3 weeks, but at least 26 times a year.
3. A log of each ground patrol shall be kept.

4. Reportable observances, defined in Paragraph D of this Section, shall be documented and submitted to the appropriate field location using either an electronic or paper copy similar to the Aerial/Ground Reportable Observances Report (Attachment C).

D. Reportable Conditions Observed On Aerial Pipeline Patrol Flights and Ground Patrols

1. Patrollers shall look for the conditions described below and, if observed during aerial pipeline patrols and ground patrols, prepare a written report of findings on the Aerial/Ground Reportable Observances Report (Attachment C):
 - a. oil spots, stains, stressed or dead vegetation, or other possible evidence of leaks;
 - b. oil on surface of waters on or near the right-of-way;
 - c. fires of any nature on or near the right-of-way;
 - d. Excavation Activity, and the presence of excavation equipment within 100 feet of any portion of the Pipeline;
 - e. exposed pipe;
 - f. obstructed right-of-way;
 - g. inadequate aerial milepost markers;
 - h. damage or possible threat of damage on or adjacent to right-of-way caused by erosion, floods, storms, dumping, drainage washouts, ponds, slush pits, etc. ;
 - i. dead or mired livestock on or adjacent to the right-of-way;
 - j. unusual conditions of rivers, creeks, overhead pipeline spans, and pipeline water crossings of any type; and
 - k. condition of station, oil inside tank dike, standing oil or water on the floating roof, or other obvious problems with the tank or surrounding area.
2. Many changes along the right-of-way are gradual and may take several years to reach stages that require maintenance work. Soil erosion,

streambed changes, weathering of pipeline markers and signs, and growth of brush and trees on right of way are examples. Individuals performing the patrols should be cognizant of gradual changes and document such observances.

3. Finding leaks, reporting their location, and estimating their size and nature are a prime responsibility of the patroller. As directed by area personnel or the Control Center, the patroller shall make special trips to find leaks suspected or indicated by drops in pressure and flow, meter readings, or other data. The patroller shall also assist maintenance personnel, when requested, in directing them to leak sites and in determining the scope, magnitude, and direction of the outages.

E. Aerial Patrol Reportable Observances

1. Action By Aerial Patroller
 - a. Immediately after observing reportable conditions, the aerial patroller shall contact the Renton Control Center, and others as appropriate, to report leaks, Excavation Activity, or other conditions requiring investigation. When an aerial patroller spots activity of immediate danger to the Pipeline, he should attract the attention of the party creating the danger by using his loudspeaker and advise them of the danger. If a loudspeaker system is unavailable, the aerial patroller shall attract the party's attention by continuing to circle the area. Olympic personnel shall be notified and dispatched as soon as possible.
 - b. Within 48 hours after each reportable observance that requires a written report, the aerial patroller shall complete the Aerial/Ground Reportable Observances Report with the maintenance team. The report number recorded on this form shall also be recorded on the Aerial/Ground Patrol Report.
2. Action by Maintenance Personnel
 - a. Within 48 hours after the aerial patroller notifies maintenance personnel of a reportable observance, or sooner if the condition poses an immediate threat of a release, the maintenance personnel shall inspect the area, and perform any necessary and practicable corrective action.
 - b. When circumstances are urgent, a report shall be submitted immediately to the Renton Control Center, and others as

appropriate, of the conditions found and corrective action taken.

- c. Within 7 days after either completing any corrective action or determining that corrective action is not necessary, an Aerial/Ground Reportable Observances Report shall be completed to show the field response, date, name of person making investigation, and who was contacted (name and address).

F. Ground Patrol Reportable Observances

1. Action by Ground Patroller

- a. Immediately after observing reportable conditions, the ground patroller shall contact the Renton Control Center, and others as appropriate, to report leaks, Excavation Activity, or other conditions requiring further investigation. When a ground patroller observes activity of immediate danger to the Pipeline, he shall notify the party creating the danger.
- b. Within 48 hours after each reportable observance that requires a written report, the ground patroller shall complete the appropriate paper copy or electronic form of the Aerial/Ground Reportable Observances Report (Attachment C).

2. Action by Maintenance Personnel

- a. Within 48 hours after the ground patroller notifies maintenance personnel of a reportable observance, or sooner if the condition poses an immediate threat of a release, the maintenance personnel shall inspect the area, and perform any necessary and practicable corrective action.
- b. When circumstances are urgent, a report shall be submitted immediately to the area office of the conditions found and corrective action taken.
- c. Within 7 days after either completing any corrective action or determining that corrective action is not necessary, the Aerial/Ground Patrol Report shall be completed to show the field response, date, name of person making investigation, and who was contacted (name and address).

V. OTHER DAMAGE PREVENTION ACTIVITIES

A. Purpose

The purpose of this Section is to describe the requirements of this Program relating to:

1. documenting Excavation Activity of Excavators that do not utilize the state One-Call System;
2. identifying the location of the Pipeline through the use of pipeline markers and clear right-of-ways;
3. providing a 24-hour emergency phone number; and
4. providing educational material regarding how to conduct Excavation Activity safely.

B. Excavator Tracking

Olympic shall document Excavators found not using the state One-Call System and prioritize them as Excavators that have a higher probability of causing damage. In a given area, there may be certain types of Excavators that are not getting the “Call Before You Dig” message. Based on local experience, if the type of Excavator most likely to cause damage is known, Olympic shall send educational information to, and/or conduct face-to-face meetings with, those Excavators to promote the use of the One-Call System and safe digging practices.

C. Pipeline Markers

Olympic’s right-of-way and crossings shall be marked in accordance with ASME B31.4-2002 requirements to indicate the presence of the Pipeline to the public, contractors, and other outside agencies; facilitate aerial patrol; and guide Olympic personnel and contractors engaged in maintenance and operating activities.

1. Type and Placement. Markers with warning signs shall be installed to indicate the presence of a buried pipeline. The markers shall be installed over the Pipeline, if practicable, or as close to it as possible. Markers shall be installed in a manner that prevents damage to the pipe or its coating.
2. Posts. Posts may be made of steel, aluminum, reinforced concrete, wood, fiberglass, or other materials that will insure adequate strength, stiffness, and durability. Protection of the posts against below-ground corrosion or weathering shall be provided, as necessary. Vent pipe, aerial patrol markers, or milepost markers may be used as posts for installing pipeline

warning signs.

3. Pipeline Warning Signs

- a. Pipeline warning signs shall be made of strong, durable material and finished to resist the effects of weathering. These signs should state at least the following: "WARNING" followed by the words "PETROLEUM PIPELINE" in lettering at least one inch high with an approximate stroke of 1/4 inch on a background of sharply contrasting color.
- b. Pipeline warning signs also shall contain the name of Olympic Pipe Line Company and a telephone number (including area code) where Olympic can be reached at all times.

D. Locations For Pipeline Markers

1. In areas of high Excavation Activity, markers shall be placed so that at any place on the right-of-way in that area two markers are visible along the right-of-way.
2. Heavily Developed Areas. Where the placement of standard pipeline warning signs is impracticable, the presence of the Pipeline may be indicated by stenciled markings, cast monuments, plaques, signs, or other devices installed in curbs, sidewalks, streets, building facades, or wherever else practicable.
3. Highways, Roads, Railroads, and Stream/River Crossings Along the Pipeline Route.
 - a. Permanent pipeline markers shall be located at each public road crossing, railroad crossing, and stream/River crossing, and in sufficient numbers along the remainder of each buried pipeline so that its location is accurately known.
 - b. Markers shall be sufficiently elevated above grade to allow them to be clearly viewed from a distance and to remain visible above normal vegetation or snow accumulations.
 - c. Markers shall normally be placed on locations where they will not interfere with normal right of way maintenance or use of the land by its owners. Markers may be placed at fence lines, property lines, right of way boundaries, and in open areas where the party

exerting control over the surface use of the right of way will permit such installations.

4. Special Locations. Markers shall be installed at locations where the Pipeline is above ground and is accessible to the public. Aerial crossings on any type of structure, either publicly or privately owned, should be considered as being accessible to the public. Markers shall be placed on each side of any impoundment that is an active source of water supply.

E. Other Signs And Marking Practices

1. Signs around Pumping Stations and Breakout Tank Areas

- a. Permanent signs shall be located and posted in sufficient numbers around pumping stations and breakout tank areas to ensure that at least one sign is visible to the public at any place around the station/area.
- b. Signs shall be made of strong, durable material and finished to resist the effects of exposure and vandalism. These signs must have the Olympic Pipe Line Company name and an emergency telephone number. Pipeline warning signs may be used for this purpose.

2. Aerial Milepost Markers

- a. Aerial milepost markers shall be installed and maintained at intervals no greater than five miles and shall be used as reference points to establish and report the approximate milepost locations of leaks or other reportable observances.
- b. The aerial milepost markers are usually installed in fence lines, property lines, or right-of-way boundaries. The faces of the signs are placed perpendicular to the route of the Pipeline.

3. Olympic shall use sharply contrasting colors unique to the Pipeline System to mark the Pipeline by means such as painting, banding, and applying decals.

- a. Posts. Fence posts, mileposts, and markers shall be painted in

sharply contrasting colors unique to the Pipeline System.

- b. Casing Vent Pipes at Highway and Railroad Crossings. Casing vent pipes at highway and railroad crossings shall be painted with the contrasting color scheme utilized on the Pipeline System.
- c. Other Structures. Other appurtenances or facilities on the right-of-way, where possible and appropriate, shall be painted to conform with the color scheme unique to the Pipeline System.

F. Maintenance Of Markers And Signs

Maintenance of markers and signs shall be a part of the Olympic's regular maintenance procedures. Olympic shall maintain signs, along with their supporting structures in their original state of effectiveness. Olympic shall replace damaged or defaced signs on discovery or as soon as possible. Markers shall not be obscured by vegetation. Markers whose effectiveness has been compromised by construction or development shall be relocated to restore effective marking.

G. Mailings to Excavators

Olympic shall send mailers with the "Call Before You Dig" message and general information about the location of the Pipeline to Excavators at least once a year. Olympic shall contact the state One-Call System to obtain a database of Excavators. Olympic shall include on its mailing list Excavators who previously contacted Olympic directly and shall make reasonable efforts to include other potential Excavators in the counties where the Pipeline is located. Olympic shall keep a record of the Excavators who were sent a mailer and the date when the mailers were sent.

VI. RECORD KEEPING

All records created pursuant to this Program shall be retained from the Effective Date of the Consent Decree until 6 years after termination of the Consent Decree.

VII. ATTACHMENTS

The following attachments are attached to, and incorporated into, this Exhibit:

“Attachment A” is Olympic’s Excavator/Locator Orientation Form.

“Attachment B” is Olympic’s Aerial/Ground Patrol Report.

“Attachment C” is Olympic’s Aerial/Ground Reportable Observances Report.